

ESTTA Tracking number: **ESTTA470662**Filing date: **05/03/2012**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Federation Internationale de Football Association (FIFA)		
Entity	Association	Citizenship	Switzerland
Address	FIFA-Strasse 20 P.O. Box 774 Zürich, 8044 SWITZERLAND		

Attorney information	James R. Menker Holley & Menker, P.A. P.O. Box 331937 Atlantic Beach, FL 32233 UNITED STATES eastdocket@holleymenker.com Phone:904 247 2620
----------------------	--

**Registration Subject to Cancellation**

Registration No	4127208	Registration date	04/10/2012
Registrants	Herrera, Orlando A. 2751 S. Ocean Drive, Suite 805-S Hollywood, FL 33019 UNITED STATES  Goldmeer, Constance 2751 S. Ocean Drive, Suite 705-S Hollywood, FL 33019 UNITED STATES  The World Peace Program, LLC 2751 S. Ocean Drive, Suite 705-S Hollywood, FL 33019 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 041. First Use: 2011/09/01 First Use In Commerce: 2011/09/01

All goods and services in the class are cancelled, namely: Organizing sporting events, namely, Soccer competition, Basketball competition, Football competition, Tennis tournaments, Golf tournaments, and any other major sport competition which provide for a portion of the ticket proceeds to be utilized for world peace, humanitarian aid and veteran help efforts

**Grounds for Cancellation**

Abandonment	Trademark Act section 14
Other	Mark does not meet the requirements of Section 1(a) nor Section 23(a) of the Trademark Act

Attachments	20120503 THE WORLD PEACE CUP 4127208 PETITION TO CANCEL.pdf ( 6 pages )(301976 bytes )
-------------	--

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/jmenker/
Name	James R. Menker
Date	05/03/2012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Federation Internationale de Football Association (FIFA).	)	
	)	
	)	
Petitioner,	)	
	)	Cancellation No. _____
v.	)	
	)	
Orlando A. Herrera, Constance Goldmeer, and	)	Reg. No. 4127208
The World Peace Program, LLC	)	
	)	
Registrants.	)	
	)	

**PETITION TO CANCEL**

Federation Internationale de Football Association (FIFA) (hereinafter “Petitioner”) is or will be damaged by the continued registration of the mark THE WORLD PEACE CUP (hereinafter the “Registered Mark”), which is set forth in Reg. No. 4127208 and owned by Orlando A. Herrera, Constance Goldmeer, and The World Peace Program, LLC (hereinafter “Registrants”), and hereby requests the cancellation of the same.

As grounds for cancellation, Petitioner, by its attorneys, avers as follows:

1. On February 15, 2012, the United States Patent and Trademark Office issued Reg. No. 4127208 on the Supplemental Register.
2. In the application filed on December 10, 2011, Registrants claimed that the Registered Mark was in use as of the filing date of the application.
3. On information and belief, Registrants were not using the Registered Mark in

commerce on or before the December 10, 2011 filing date of the application which issued as Reg. No. 4127208.

4. On information and belief, Registrants have never used the Registered Mark in commerce in connection with any of the services set forth in Reg. No. 4127208.

5. Because the Registered Mark was not in use in commerce prior to the filing date of the application which issued as Reg. No. 4127208 and has never been used in commerce, the Registrants did not meet the requirements of Section 1(a) of the Trademark Act, 15 U.S.C. § 1051(a), and were not, therefore, entitled to obtain a registration on the Supplemental Register.

6. Because Registrants have never used the Registered Mark in commerce in connection with any of the services in the application which issued as Reg. No. 4127208, the Registrants did not meet the requirements of Section 23(a) of the Trademark Act, 15 U.S.C. § 1091(a), and were not, therefore, entitled to obtain a registration on the Supplemental Register.

7. Because the Registered Mark was clearly eligible for registration on the Principal Register, the Registrants were not entitled to obtain a registration for the Registered Mark on the Supplemental Register.

8. On information and belief, Registrants, through intentional nonuse, have abandoned the Registered Mark set forth in Reg. No. 4127208.


9. Any goodwill that may have been associated with the Registered Mark set forth in 4127208 has been destroyed by Registrant's intentional abandonment and nonuse of the Registered Mark in commerce.

10. Petitioner is or will be damaged by the existence of Reg. No. 4127208. Specifically, Petitioner owns and uses in commerce the mark WORLD CUP, and formatives thereof, in connection with a wide variety of goods and services and the continued existence of Reg. No. 4127208 may limit Petitioner's ability to use and register its WORLD CUP mark and formatives thereof.

WHEREFORE, Petitioner respectfully requests that Reg. No. 4127208 be cancelled. The required filing fee is submitted herewith.

Respectfully submitted,

Federation Internationale de Football Association (FIFA)

By:   
James R. Menker

Petitioner's Attorneys  
Holley & Menker, P.A.  
P.O. Box 331537  
Atlantic Beach, FL 32233  
(904) 247-2620


### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing "PETITION TO CANCEL" has been served on Registrant, Orlando A. Herrera, at the address of record 2751 S. Ocean Drive, Suite 705-S, Hollywood, FLORIDA 33019, via first class mail, today **May 3, 2012**.

By:   
Laura K. Greer

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing "PETITION TO CANCEL" has been served on Registrant, Constance Goldmeer, at the address of record 2751 S. Ocean Drive, Suite 705-S, Hollywood, FLORIDA 33019, via first class mail, today **May 3, 2012**.

By:   
Laura K. Greer

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing "PETITION TO CANCEL" has been served on Registrant, The World Peace Program, LLC, at the address of record 2751 S. Ocean Drive, Suite 705-S, Hollywood, FLORIDA 33019, via first class mail, today **May 3, 2012**.

By:   
Laura K. Greer